

Ravalli County Commissioners  
Greg Chilcott, Chairman  
Alan Thompson, Member  
Howard Lyons, Member

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01/23/2007

Gentleman:

I just received a copy of the memo sent to Karen Hughes from George Corn re Interim Zoning. Altho the people voted for the Interim Zoning Statute 76-2-206, MCA the statutes were not followed. I was unsuccessful in arranging a meeting with Mr. Corn to discuss this matter.

On January 21, 2000 Rich Weddle replied to an e-mail I sent to him re Interim Zoning. Mr. Weddle was the Staff Attorney of the Technical Support Group under the Dept of Commerce. His response to me in part was " In 1975 the Montana Supreme Court held that the notice and hearing requirements of Section 76-2 205, MCA apply to the adoption of interim zoning under 76-2-206, MCA",

I obtained a copy of the Supreme Court ruling last year. The codification in 1979 shows Section 16-4711, 1947 became 76-2-206, MCA and Section 16-4705 became 76-2-205, MCA. The ruling of the court is cited as: 166 Mont. 252, 531 P. 2d 1320.

I am a strong supporter of zoning and have been for many years. I also want to be sure that the action recommended by the Planning Board will not result in a challenge when it goes to the commissioners. This needs attention now as I don't want to see it being done again if the challenge is successful. There is a tremendous amount of money at stake if a court challenge results in any developer being successful. Please start over and enact statute 76-2-205 MCA so interim zoning can move forward.

Thanks,

*Bob Frost*

Bob Frost

Cc George Corn